

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL IZELL SEALS,

Plaintiff,

v.

OFFICER JOHN RUSSELL, et al.,

Defendants.

No. C 04-1569 SBA (PR)

**ORDER DENYING MOTION
FOR LEAVE TO PROCEED IN
FORMA PAUPERIS ON
APPEAL**

(Docket no. 37)

This is a civil rights case filed under 42 U.S.C. § 1983 filed pro se by a state prisoner. On September 6, 2006, Plaintiff filed a Notice of Appeal. In a mandate filed on November 17, 2006, the United States Court of Appeal for the Ninth Circuit dismissed Plaintiff's appeal for lack of jurisdiction.

Plaintiff's motion for leave to proceed in forma pauperis on appeal (docket no. 37) is DENIED as moot.

IT IS SO ORDERED.

DATED: 6/13/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SEALS,

Plaintiff,

v.

RUSSELL et al,

Defendant.

Case Number: CV04-01569 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 14, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael Izell Seals V77488
California State Prison - San Quentin
San Quentin, CA 94974

Dated: June 14, 2007

Richard W. Wicking, Clerk
By: LISA R CLARK, Deputy Clerk